BILL NO. S-81-06-16

SPECIAL ORDINANCE NO. S-151-81

AN ORDINANCE approving a contract between the City of Fort Wayne and Zollner Corporation for fire protection to premises outside the City.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract, dated June 1, 1981, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety and Zollner Corporation and the furnishing of fire protection by the Fort Wayne Fire Department to premises of Zollner Corporation outside the city limits, described as follows, to-wit:

> All buildings and improvements of Zollner, presently located or hereinafter located on an area which has a frontage of 602.4 feet more or less, along the east right of way line of Coliseum Boulevard South, a north boundary line of 1381 feet more or less, an east boundary line of 765.1 feet more or less, and a south boundary line of 1854 feet more or less.

At a cost to Zollner Corporation of $6,606.10, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Safety and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. The proceeds of such contract received by the City shall be deposited in the City "Fire Fighting Fund" pursuant to I.C. 18-6-8-2.

SECTION 3. That this Ordinance shall be effective upon its passage and approval by the Mayor.

Vivian G. Schmidt
COUNCILMAN

APPROVED AS TO FORM AND LEGALITY JUNE 19, 1981.

BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by V. Schmidt, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee Zoning (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock ____ M.,E.S.T.

DATE: 6-23-81

CHARLES W. WESTERMAN
CITY CLERK

Read the third time in full and on motion by V. Schmidt, seconded by Stier, and duly adopted, placed on its passage. PASSED ~~(LOST)~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	9	0			
BURNS	X				
EISBART	X				
GiaQUINTA	X				
NUCKOLS	X				
SCHMIDT, D.	X				
SCHMIDT, V.	X				
SCHOMBURG	X				
STIER	X				
TALARICO	X				

DATE: 7-14-81

CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ZONING MAP)~~ (GENERAL) (ANNEXATION) (SPECIAL) (~~APPROPRIATION~~) ORDINANCE (~~RESOLUTION~~) No. S-151-81

on the 14th day of July, 19 81.

ATTEST: (SEAL)

CHARLES W. WESTERMAN - CITY CLERK

John Nuckols
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of July, 19 81, at the hour of 11:30 o'clock A. M.,E.S.T.

CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 20th day of July 19 81, at the hour of 11 o'clock A M.,E.S.T.

WINFIELD C. MOSES, JR.
MAYOR

BILL NO. S-81-06-16

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON Finance TO WHOM WAS REFERRED AN ORDINANCE approving a contract between the City of Fort Wayne and Zollner Corporation for fire protection to premises outside the City

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE do PASS.

VIVIAN G. SCHMIDT, CHAIRMAN

JAMES S. STIER, VICE CHAIRMAN

MARK E. GiaQUINTA

PAUL M. BURNS

ROY J. SCHOMBURG

7-14-81
DATE

CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

RECD DEC
FEB 1981

Memorandum

To Tony Myers Date 2/12/81

From Frank W. Heyman

Subject Fire Contract Formula

COPIES TO:

It is my recommendation that a standard formula be utilized to establish the price to be charged businesses when they enter into a contract for fire services with the FWFD. First of all, the Fire Department should calculate the total assessed valuation of the business' property. This should include both their personal property and their real property. Once that total assessed valuation has been established, a sliding scale is applied to the total valuation. This works as follows: On the first $2.5 million of assessed valuation a rate of one quarter of 1% is charged (.0025). On the next $2.5 million of assessed valuation a rate of 2/10 of 1% is applied (.002). On the next $5 million of assessed valuation a rate of 15/100 of a percent is applied (.0015). Finally, on all valuation above $10 million a rate of 1/10 of 1% is applied (.001).

ZOLLNER

Real Estate Assessed Valuation				657,400
Personal Property Assessed Valuation				2,020,650
				2,678,050
Formula :	2,500,000	x .0025	=	6,250.00
	178,050	x .002	=	356.10
				6,606.10

FIRE PROTECTION CONTRACT

This contract is enterd into duplicate this 1st day of June, 1981, between the City of Fort Wayne, Indiana, acting by and through its Mayor and Board of Commissioners, Department of Public Safety, ("CITY") and Zollner Corporation, an Indiana corporation having its principal place of business in Adams Township, Allen County, Indiana ("ZOLLNER").

WHEREAS, ZOLLNER is the owner of certain improvements upon real estate near but outside the corporate limits of the CITY, described as follows:

> All buildings and improvements of Zollner, presently located or hereinafter located on an area which has a frontage of 602.4 feet more or less, along the east right of way line of Coliseum Boulevard South, a north boundary line of 1381 feet more or less, an east boundary line of 765.1 feet more or less, and a south boundary line of 1854 feet more or less.
>
> The said buildings and improvements which are collectively referred to as "the premises" hereafter in this contract are reflected for tax purposes as real estate assessed valuation of $657,400 and personal property assessed valuation of $2,020,650 issued by the Treasurer of Allen County, Indiana. The total assessed valuation being $2,678,050.

and, WHEREAS, ZOLLNER desires to be assured that fire protection by CITY is available at the premises above described:

Now, therefore, the parties agree as follows:

1. For one (1) continuous calendar year from the date of this agreement, upon the receipt by CITY'S Fire Department of a notification or signal that there is a fire on the premises above described, CITY shall cause the proper fire fighting station or stations to send such fire fighting equipment, materials, and personnel to the premises as it reasonably sends to other similar locations within the corporate limits of CITY.

2. For fire fighting services provided for herein, ZOLLNER shall pay to the CITY at the rate of 1% (.0025) on the first $2.5 million dollars of assessed valuation and a rate of 2/10 of 1% (.002) on the remaining $178,050 of assessed valuation hereinafter identified as the premises. The hereinabove identified having an assessed valuation total of $2,678,050, the sum owing under this contract is therefore, $6,606.10.

Said sum shall be payable as follows:

1. $3,303.05 shall be payable upon execution of this contract.
2. The balance due shall be $3,303.05 payable on or before November 1, 1981.

3. CITY shall cause its Fire Department personnel and Fire Prevention Bureau personnel to inspect ZOLLNER'S building, equipment, facilities periodically, at mutually convenient times, to familiarize such personnel with said buildings, equipment, and facilities and ZOLLNER'S operation on the premises, so as to (1) determine the types of fire which may reasonably be anticipated on the premises; (2) to be able to render service commensurate with existing service conditions; (3) so as to make recommendations relative to fire prevention.

4. The CITY and the CITY'S Fire Department shall not assume any liability for the safety, well-being or destruction of any structures, buildings or the contents herein nor for individuals involved herein in the execution of the contract.

5. Notwithstanding the foregoing provisions, this contract shall not become effective until it shall have been signed by the Mayor and the members of the Board of Commissioners, Department of Public Safety, and ratified and approved by the Common Council of CITY.

ZOLLNER CORPORATION

By: Paul O. Schirmeyer
Paul O. Schirmeyer, Treasurer

CITY OF FORT WAYNE, INDIANA

By:
Win C. Moses, Jr., Mayor

BOARD OF COMMISSIONERS,
DEPARTMENT OF PUBLIC SAFETY

By: Nick Palermo
Nick Palermo, Chairman

By: Helen P. Brown
Helen P. Brown, Member

By: _____
William H. White, Member

I hereby certify that the foregoing contract was ratified and approved by the Common Council of the City of Fort Wayne, Indiana on July 14, 1981.

Charles W. Westerman
Charles W. Westerman, Clerk

Admn. Appr. _____

DIGEST SHEET

S-8-06-16

TITLE OF ORDINANCE Outside the City Fire Contract

DEPARTMENT REQUESTING ORDINANCE Board of Public Safety

SYNOPSIS OF ORDINANCE This would allow the City of Fort Wayne to provide fire protection for Zollner Inc. They, in turn, will pay the City $6,606.10, which is used to purchase fire equipment.

EFFECT OF PASSAGE The Fort Wayne Fire Department will receive $6,606.10.

EFFECT OF NON-PASSAGE The Fire Department will lose $6,606.10.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.) _____

DATE SUBMITTED: _____